IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CIVIL WRIT PETITION NO. 6528 OF 2007

DATE OF DECISION: May 03, 2007

Parties Name

Balwant Singh and others

..PETITIONERS

VERSUS

State of Punjab and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASBIR SINGH
HON'BLE MRS. JUSTICE NIRMAL YADAV

PRESENT: Mr. Ramesh Sharma,
Advocate, for the petitioners.

JASBIR SINGH, J.

Order.

Petitioners are getting canal water, to irrigate land, through water outlet No. RD 19723/R of Neur minor. Vide orders under challenge, land measuring 13.35 Acres, which is ownership of respondents No. 4 to 7, has been ordered to be transferred, for irrigation purposes, to above said watercourse after withdrawing the same from command area of water outlet No. RD 17802/R Neur minor. The authorities below have found it as a matter of fact that irrigation of the transferred land will improve by putting the same in the command area of outlet No. RD 19723/R. Canal authorities are the best judge. This Court is not supposed to sit as a Court of appeal over orders passed by these authorities unless error apparent on facts and law is indicated to this Court. No such defect has been brought to our notice. Contention of counsel for the petitioners that on account of transfer of above said land to their outlet, their irrigation will decrease, appears to

be imaginary only. To support this contention, nothing has been brought on record. Otherwise also, if anything happens in future, the petitioners may make a request to the canal authorities to increase width of the water outlet so that they may get proper irrigation. No case is made out for interference. Dismissed.

(Jasbir Singh)
Judge

(Nirmal Yadav)
Judge

May 03, 2007.
DKC